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SAP Aktiengesellschaft

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

SAP AKTIENGESELLSCHAFT, a
German corporation,

Plaintiff,

v.

i2 TECHNOLOGIES, INC., a Delaware
corporation

Defendant.

Case No. 4:07-cv-04187-SBA

**SECOND AMENDED COMPLAINT FOR
PATENT INFRINGEMENT
(JURY TRIAL DEMANDED)**

Plaintiff SAP Aktiengesellschaft ("SAP") for its First Amended Complaint against
Defendant i2 Technologies, Inc. ("i2") avers the following:

NATURE OF THE ACTION

1. This is a civil action for patent infringement of United States Patents Nos.
6,407,761 ("the '761 patent"), 6,750,766 ("the '766 patent"), and 7,222,369 ("the '369 patent")

(collectively, the “patents-in-suit”), brought pursuant to the patent laws of the United States, title 35 of the United States Code. Copies of these patents are attached hereto as Exhibits “A,” “B,” and “C.”

PARTIES

2. Plaintiff SAP is a German corporation with its headquarters at Dietmar-Hopp-Allee 16, 69190, Walldorf, Germany. SAP is the parent company of SAP America, Inc., which in turn is the parent of SAP Labs, LLC, a subsidiary headquartered at 3475 Deer Creek Road, Palo Alto, California.

3. On information and belief, Defendant i2 is a Delaware corporation with its headquarters at 11701 Luna Road, Dallas, Texas 75234 and with offices at 1250 Oakmead Parkway, Suite 210 Sunnyvale, California 94085.

SUBJECT MATTER JURISDICTION

4. This Court has subject matter jurisdiction over this action pursuant to 28 U.S.C. §§ 1331 and 1338. This is an action for patent infringement arising under the patent laws of the United States, Title 35 of the United States Code.

VENUE

5. Venue is proper in this Court pursuant to 28 U.S.C. §§ 1391 and 1400 in that Defendant i2 has an established place of business and regularly conducts business in this judicial district and a substantial part of the events giving rise to this action are occurring and have occurred in this judicial district.

FIRST CLAIM FOR RELIEF **(Infringement of the '761 Patent)**

6. SAP incorporates by reference the allegations of paragraphs 1 – 5 above.

7. On June 18, 2002, the United States Patent and Trademark Office duly and legally issued the '761 patent, entitled “System and method for the visual customization of business object interfaces,” to Pong Ching, Martin Stein, and Larry Chiang. SAP is the owner, by valid assignment, of all rights, title and interest in the '761 patent.

8. Defendant has been, and currently is, directly and indirectly infringing the

1 '761 patent by manufacturing, using, importing, marketing, selling, reselling, offering for sale,
 2 and/or inducing others to use products falling within the scope of one or more of the claims of the
 3 '761 patent, including Defendant's i2 Six Solutions, and doing so without Plaintiff's permission.

4 9. As a direct and proximate consequence of Defendant's infringement of the
 5 '761 patent, SAP has suffered and will continue to suffer irreparable injury and damages in an
 6 amount not yet determined for which SAP is entitled to relief.

7 **SECOND CLAIM FOR RELIEF**
 8 **(Infringement of the '766 patent)**

9 10. SAP incorporates by reference the allegations of paragraphs 1 – 5 above.

10 11. On June 15, 2004, the United States Patent and Trademark Office duly and legally
 11 issued the '766 patent, entitled "Alerts Monitor," to Ami Heitner, Avi Mishan, Irena Kull, and
 12 Ziv Holzman. SAP is the owner, by valid assignment, of all right, title and interest in the
 13 '766 patent.

14 12. Defendant has been, and currently is, directly and indirectly infringing the
 15 '766 patent by manufacturing, using, importing, marketing, selling, reselling, offering for sale,
 16 and/or inducing others to use products falling within the scope of one or more of the claims of the
 17 '766 patent, including Defendant's i2 Six Solutions, and doing so without Plaintiff's permission.

18 13. As a direct and proximate consequence of Defendant's infringement of the
 19 '766 patent, SAP has suffered and will continue to suffer irreparable injury and damages in an
 20 amount not yet determined for which SAP is entitled to relief.

21 **THIRD CLAIM FOR RELIEF**
 22 **(Infringement of the '369 Patent)**

23 14. SAP incorporates by reference the allegations of paragraphs 1 – 5 above.

24 15. On May 22, 2007, the United States Patent and Trademark Office duly and legally
 25 issued the '369 patent, entitled "Role-based portal to a workplace system," to Matthias Vering,
 26 Peter Barth, Sven Schwerin-Wenzel, Thomas Anton, and Peter Bittner. SAP is the owner, by
 27 valid assignment, of all right, title and interest in the '369 patent.

28 16. Defendant has been, and currently is, directly and indirectly infringing the

'369 patent by manufacturing, using, importing, marketing, selling, reselling, offering for sale, and/or inducing others to use products falling within the scope of one or more of the claims of the '369 patent, including Defendant's i2 Six Solutions, and doing so without Plaintiff's permission.

17. As a direct and proximate consequence of Defendant's infringement of the '369 patent, SAP has suffered and will continue to suffer irreparable injury and damages in an amount not yet determined for which SAP is entitled to relief.

PRAYER FOR RELIEF

WHEREFORE, SAP requests entry of judgment in its favor and against i2 as follows:

A. For entry of a judgment declaring that i2 has directly and/or indirectly infringed one or more claims of the '761 patent, the '766 patent, and the '369 patent;

B. For preliminary and permanent injunctive relief restraining and enjoining i2, and its officers, agents, servants, employees, attorneys, and those persons in active concert or participation with them who receive actual notice of the order by personal service or otherwise, from any further infringement of the '761 patent, the '766 patent, and the '369 patent;

C. For damages to compensate SAP for Defendant's infringement;

D. For an award of pre-judgment and post-judgment interest and costs; and

E. For such other and further relief as the Court may deem just and fair.

Dated: April 15, 2008

FENWICK & WEST LLP

By: /s/ Todd R. Gregorian

Attorneys for Plaintiff
SAP Aktiengesellschaft

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ATTORNEYS AT LAW
MOUNTAIN VIEW

DEMAND FOR JURY TRIAL

Plaintiff demands a trial by jury on all issues so triable raised herein.

Dated: April 15, 2008

FENWICK & WEST LLP

By: /s/ Todd R. Gregorian

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